

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3654
#10
P. Willen
04/01/03

In re Application of : Wolfgang Gunter RUCKMANN
Horst Bernhard MICHALIK

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) Art Unit: 3654

Application No. : 09/926,175

) Examiner M. Mansen
)

Filed : January 7, 2002

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For : DEVICE FOR DRAWING IN PAPER WEBS)

ELECTION OF SPECIES

Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

In response to the Election of Species Request, which was mailed to the undersigned on March 13, 2003, applicants, through their undersigned attorney, elect to prosecute claims 35, 37-39, 46-53, 55 and 71 in the subject application in the event that no generic claim is finally held to be allowable. These claims are directed to Species I, as designated by the Examiner.

The Examiner's indication that there is no generic claim is respectfully traversed. A review of the Examiner's listing of the claims clearly indicates that at least Claims 35, 37, 38, 39, 53, 55 and 71 are generic to all of the claimed species. The Examiner has indicated that Species 3 has no claim directed to it. It thus cannot be a species of the claimed invention. It may well be that the specification discloses various embodiments, all of which are not claimed. However, all of the claimed species are part of the claimed invention, as recited by the Examiner's admission, in at least claims 35, 37-39, 53, 55 and 71. Thus claims 35, 37-39, 53, 55 and 71 are believed to be

generic claims since they read on all of the claimed species of the invention. The fact that the specification of the application may disclose an embodiment which is not the subject of any claims does not mean that no claim can be a generic claim. Accordingly, the Examiner's indication of no generic claims is respectfully traversed.

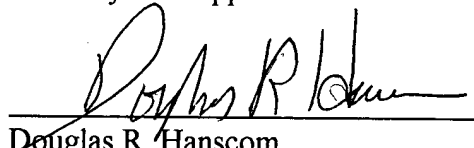
Applicants specifically reserve the right to file one or more divisional applications directed to the non-elected claimed species of the invention if no generic claim is finally held to be allowable.

An early and favorable Office Action on the merits is respectfully requested.

Respectfully submitted,

Wolfgang Gunter RUCKMANN
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Applicants

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